

ATTORNEY DOCKET NO. 01173.0015U3
Application No. 09/855,170

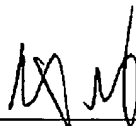
2. Applicants traverse the restriction requirement as currently set forth for the following reasons. To be valid, a restriction requirement must establish both that (1) the "inventions" are either independent or distinct, and (2) that examination of more than one of the "inventions" would constitute a burden to the Examiner. Applicants note that the restriction requirement does not provide sufficient basis to indicate that examination of more than one of the "species" would overly burden the Examiner. The only reason given is that a divergent literature and patent search would be required.

Favorable consideration of claims 26-47 is earnestly solicited.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$795.00, representing the fee for a small entity under 37 C.F.R. § 1.17(a)(4) and a Request for Extension of Tim are enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



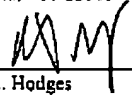
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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to: PTO Group Art Unit 1637, Fax Center - 703/872-9306, Attn: Examiner A. H. Spiegler, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.


Robert A. Hodges

2/15/2005
Date